

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

KATHLEEN ALLISON, et al.,

Defendants.

No. 2:21-cv-00051-CKD P

ORDER

Plaintiff, a state prisoner proceeding in forma pauperis, sought relief pursuant to 42 U.S.C. § 1983. Judgment was entered in this action on December 13, 2022. On December 27, 2022, plaintiff filed a notice of appeal. ECF No. 54. The Ninth Circuit Court of Appeals referred this matter back to the district court for the limited purpose of determining whether in forma pauperis status should continue on appeal or whether the appeal is frivolous or taken in bad faith.

The Federal Rules of Appellate Procedure provide as follows:

[A] party who has been permitted to proceed in an action in the district court in forma pauperis . . . may proceed on appeal in forma pauperis without further authorization unless . . . the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed . . . .

Fed. R. App. P. 24(a). After review of the record herein, the court finds that plaintiff's appeal is not taken in good faith. Accordingly, plaintiff's motion for leave to proceed in forma pauperis on appeal is denied.

1 In accordance with the above, IT IS HEREBY ORDERED that plaintiff's in forma  
2 pauperis status on appeal is revoked. See Fed. R. App. P. 24(a).

3 Dated: February 14, 2023



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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